REMARKS

The present Response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt reconsideration and allowance of the claims are respectfully requested.

Status of Claims

Claims 1-28 and 30 are pending in the application. Claim 29 was previously cancelled.

Telephonic Interview

Applicants would like to thank Examiner Eva, Y. Zheng for the courtesy of the telephonic interview on November 1, 2005 with Applicants' representatives.

During the interview, Applicants presented arguments supporting the patentability of independent claims 1, 14 and 30 over prior art reference La Rosa (US Patent 6,078,611). In particular, Applicants explained that claims 1, 14 and 30 include at least the distinctive elements of generating direction metrics of each of a set of possible directions; and selecting one metric from the direction metrics according to a predetermined criterion. These features are not taught, suggested, or implied by the La Rosa reference. Applicants argued that La Rosa merely describes generating one value based on conditions of two fingers (202, 204, and 206 in FIG. 2), and the above language of claims 1, 14 and 30 cannot be reasonably interpreted to include a situation where only one value is generated. Applicants further argued that determining whether a value reaches an overflow threshold (208 in FIG. 2, 816 in FIG. 8 of La Rosa) does not read on the limitation of selecting one metric from a set of direction metrics, as specifically required by claims 1, 14, and 30.

In view of the above analysis presented by the Applicants, the Examiner offered to provide expedited reconsideration once Applicants present the above arguments formally

and, if they are found to bear merit, to allow the case or to withdraw the finality of the Office Action (and possibly issue another Office Action after an additional search). However, if the Examiner decides to maintain the rejections after consideration of Applicants' arguments herein, Applicants respectfully request that the Examiner promptly advise the Applicants accordingly to allow Applicants sufficient time to file an Appeal or a Request for Continued Examination (RCE)

Comments to Response to Arguments

The Examiner's Response to Arguments has been addressed by Applicants during the telephonic interview with the Examiner on November 1, 2005, and the Applicants' arguments were presented in more detail, as explained above.

CLAIM REJECTIONS

Claim Rejections - 35 USC §102

In the Office Action, the Examiner rejected claims 1-5, 9-18, 22-26, 28 and 30 under 35 U.S.C. §102(e), as being anticipated by La Rosa et al (US Patent 6,078,611). Specifically, the Examiner contends that La Rosa teaches a direction metric determiner, a metric selector, and a finger adjuster, as recited by independent claim 1 of the present application; an article as recited by independent claim 14; and a method as recited by independent claim 30.

Applicants respectfully disagree with the Examiner's contention.

First, Applicants respectfully submit that La Rosa does not teach, suggest, or imply a direction metric determiner that "generates direction metrics of each of a set of possible directions of joint movement of at least two fingers" as recited by claim 1 (emphasis added); "to generate direction metrics of each of a set of possible directions of joint movement of at least two fingers" as recited by claim 14 (emphasis added); and "generating direction metrics of each of a set of possible directions of joint movement of the fingers" as recited by claim 30 (emphasis added).

In the Office Action, the Examiner did not specifically point out which element in Fig. 2 (La Rosa) corresponds to the direction metric determiner and Applicants assume that the Examiner refers to accumulator 206. However, accumulator 206 does not generate direction metrics of <u>each of a set of possible directions of joint movement</u>. Accumulator 206 provides only one value (which is the amplitude difference between two pilot signals of two fingers) and not metrics or values relating to "each of a set of possible directions of joint movement" of the two fingers. Even by the broadest reasonable interpretation to the language of the independent claims, "direction metrics of each of a set of possible directions of joint movement of at least two fingers" cannot be reasonably interpreted as referring to only one metric value.

In addition, claims 1, 14, and 30 of the present application require selecting or to select, by a metric selector, one metric out of the direction metrics generated by the direction metric determiner. Applicants respectfully submit that La Rosa does not teach, suggest, or imply selecting or to select, by a metric selector or otherwise "one of said direction metrics" as recited by claims 1, 14, and 30.

In fact, La Rosa does not describe any selection process. La Rosa describes an overflow detector 208 (818 and 830 in Fig. 8) which has only one input and not multiple inputs of direction metrics. Thus, detector 208 does not select among choices but detects a condition when the value of a single input, which represents a difference in amplitudes of two fingers, reaches a predetermined criterion (overflow condition). There is clearly no teaching in La Rosa of a selection process where a value is selected from multiple values, e.g., direction metrics. Therefore, detector 208 (818 and 830 in Fig. 3) is not a metric selector but a threshold detector. This is further evident from the fact that accumulator 206 of La Rosa does not generate (multiple) direction metrics for selection by a metric selector at any given time.

In view of the above remarks, Applicants respectfully submit that the distinctive

elements of claims 1, 14, and 30 are not anticipated by the prior art references such as, for example, La Rosa et al., and are patentable over all the prior art references of record.

Claims 2-5 and 9-13 depend, directly or indirectly, from claim 1 and include all the elements of claim 1 as well as additional distinguishing elements of the present invention. Claims 15-18, 22-26, and 28 depend, directly or indirectly, from claim 14 and include all the elements of claim 14 as well as additional distinguishing elements of the present invention. Therefore, claims 2-5 and 9-13 are patentable for at least the reasons as discussed above with regard to claim 1, and claims 15-18, 22-26 and 28 are patentable for at least the reasons as discussed above with regard to claim 14.

In view of the above remarks, Applicants respectfully request that the rejections of claims 1-5, 9-18, 22-26, 28 and 30 under U.S.C. §102(e) be withdrawn.

Allowable Subject Matter

Applicants would like to thank the Examiner for allowing claims 6-8, 19-21 and 27 on condition that they be rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

However, claims 6-8, 19-21 and 27 depend from independent claims 1 and 14 that are patentable over prior art reference La Rosa, as described above. Therefore, claims 6-8, 19-21, and 27 are patentable in their present forms for at least the reasons as discussed above with regard to claims 1 and 14.
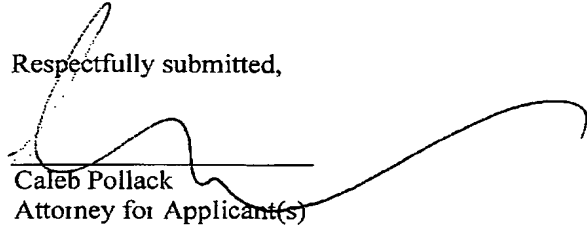
Conclusion

In view of the preceding remarks, Applicants respectfully submit that all pending claims are now in condition for allowance. Favorable reconsideration and allowance of the claims are respectfully requested.

No fees are due in connection with this paper. However, if any such fees are due, please charge any such fees to deposit account No. 50-3355.

Respectfully submitted,

Caleb Pollack
Attorney for Applicant(s)
Registration No. 37,912

Dated: November 2, 2005

Pearl Cohen Zedek Latzer, LLP.
10 Rockefeller Plaza, Suite 1001
New York, New York 10020
Tel: (212) 632-3480
Fax: (212) 632-3489